

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document #

16

U.S.C.A. #

DC-2415-PK

U.S.D.C. #

07-cv-3947

JUDGE:

RJH

DATE:

May 12, 2008

In Re: Spiegel, Inc.
-v-

INDEX TO THE RECORD ON APPEAL

PREPARED BY (NAME):

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DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

** ONLY CIRCLED DOCUMENTS ARE INCLUDED **

** ALL OTHERS MISSING AT THIS TIME **

☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
for the Second Circuit on the 12th Day of May, 2008.

APPEAL, CLOSED, ECF

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:07-cv-03947-RJH
Internal Use Only

In Re: Spiegel, Inc.
Assigned to: Judge Richard J. Holwell
Related Case: 1:07-cv-10317-RJH
Case in other court: USBC-SDNY, 03-B-11540 (BRL)
Cause: 28:0158 Notice of Appeal re Bankruptcy Matter (BA)

Date Filed: 05/21/2007
Date Terminated: 03/31/2008
Jury Demand: None
Nature of Suit: 422 Bankruptcy Appeal (801)
Jurisdiction: Federal Question

Date Filed	#	Docket Text
05/21/2007	<u>1</u>	NOTICE OF APPEAL FROM THE BANKRUPTCY COURT TO THE S.D.N.Y. from the Order of Judge Burton R. Lifland dated April 4, 2007. Bankruptcy Court Case Numbers: 03-B-11540 (BRL). Certified copies of file received. Document filed by Jacqueline Johnson. Appellant Brief due by 6/8/2007. (bkar) (Entered: 05/21/2007)
05/21/2007	<u>2</u>	DESIGNATION OF BANKRUPTCY RECORD ON APPEAL re: <u>1</u> Bankruptcy Appeal,. Document filed by Appellant Jacqueline Johnson. (bkar) (Entered: 05/21/2007)
05/21/2007	<u>3</u>	COUNTER DESIGNATION OF BANKRUPTCY RECORD ON APPEAL Document filed by Appellee Spiegel Creditor Trust. (bkar) (Entered: 05/21/2007)
05/21/2007		Magistrate Judge Ronald L. Ellis is so designated. (bkar) (Entered: 05/21/2007)
05/21/2007		Case Designated ECF. (bkar) (Entered: 05/21/2007)
06/29/2007	<u>4</u>	MOTION to Dismiss <i>Spiegel Creditor Trust's Notice of Motion to Dismiss Pending Johnson Appeal</i> . Document filed by Spiegel Creditor Trust. (Deutsch, Douglas) (Entered: 06/29/2007)
06/29/2007	<u>5</u>	MEMORANDUM OF LAW in Support re: <u>4</u> MOTION to Dismiss <i>Spiegel Creditor Trust's Notice of Motion to Dismiss Pending Johnson Appeal</i> . <i>Spiegel Creditor Trust's Memorandum of Law in Support of Motion to Dismiss Pending Johnson Appeal</i> . Document filed by Spiegel Creditor Trust. (Deutsch, Douglas) (Entered: 06/29/2007)
06/29/2007	<u>6</u>	DECLARATION of Douglas E. Deutsch in Support re: <u>4</u> MOTION to Dismiss <i>Spiegel Creditor Trust's Notice of Motion to Dismiss Pending Johnson Appeal</i> . Document filed by Spiegel Creditor Trust. (Attachments: # <u>1</u> Exhibit <u>1</u> # <u>2</u> Exhibit <u>2</u> # <u>3</u> Exhibit <u>3</u> # <u>4</u> Exhibit <u>4</u> # <u>5</u> Exhibit <u>5</u> # <u>6</u> Exhibit <u>6</u> # <u>7</u> Exhibit <u>7</u> # <u>8</u> Exhibit <u>8</u> # <u>9</u> Exhibit <u>9</u> # <u>10</u> Exhibit <u>10</u> # <u>11</u> Exhibit <u>11</u> # <u>12</u> Exhibit <u>12</u>) (Deutsch, Douglas) (Entered: 06/29/2007)
06/29/2007	<u>7</u>	AFFIDAVIT OF SERVICE of (i) Notice of Motion, (ii) Memorandum of Law in Support, and (iii) Declaration served on Jacqueline Johnson on June 29, 2007. Service was made by Federal Express. Document filed by Spiegel Creditor Trust. (Deutsch, Douglas) (Entered: 06/29/2007)
07/16/2007	<u>10</u>	RESPONSE to: <u>5</u> Memorandum of Law in Support of Motion,. Document filed by Jacqueline Johnson. (jp) (Entered: 07/23/2007)
07/19/2007	<u>8</u>	RESPONSE to Motion re: <u>4</u> MOTION to Dismiss <i>Spiegel Creditor Trust's Notice of Motion to Dismiss Pending Johnson Appeal</i> . <i>Response to Spiegel Creditor Trust's Memorandum of Law in Support of Motion to Dismiss Pending Johnson Appeal</i> . Document filed by Jacqueline Johnson. (Deutsch, Douglas) (Entered: 07/19/2007)
07/19/2007	<u>9</u>	CERTIFICATE OF SERVICE of Notice and Response served on Chadbourne & Parke LLP on July 8, 2007. Service was made by Mail. Document filed by Jacqueline Johnson. (Deutsch, Douglas) (Entered: 07/19/2007)
09/13/2007	<u>11</u>	AFFIDAVIT OF SERVICE of Order served on Jacqueline Johnson on 9/12/2007. Service was made by Mail and Federal Express. Document filed by Spiegel Creditor Trust. (Deutsch, Douglas) (Entered: 09/13/2007)
10/04/2007		Minute Entry for proceedings held before Judge Richard J. Holwell : Pretrial Conference held on 10/4/2007. The Court will review documents presented and review transcript. Next PTC will be set by the Court. (jco) (Entered: 10/09/2007)
11/05/2007	<u>12</u>	TRANSCRIPT of proceedings held on 10/4/2007 before Judge Richard J. Holwell. (wb) (Entered: 11/05/2007)
03/31/2008	<u>13</u>	MEMORANDUM OPINION AND ORDER: 95892 re: <u>4</u> MOTION to Dismiss <i>Spiegel Creditor Trust's Notice of Motion to Dismiss Pending Johnson Appeal</i> filed by Spiegel Creditor Trust. The Court grants the Creditor Trust's Motion to dismiss the appeal <u>4</u> to the extent that Johnson seeks to appeal the December 19, 2006 Disallowance Order. To the extent that Johnson seeks to appeal the April 4, 2007 Reconsideration/Extension Order, the order of the bankruptcy court is affirmed. The Clerk of the Court is directed to close this case. (Signed by Judge Richard J. Holwell on 3/31/08) (tro) (Entered: 03/31/2008)
03/31/2008		Transmission to Judgments and Orders Clerk. Transmitted re: <u>13</u> Memorandum & Opinion, to the Judgments and Orders Clerk. (tro) (Entered: 03/31/2008)
03/31/2008	<u>14</u>	CLERK'S JUDGMENT That for the reasons stated in the Court's Memorandum Opinion and Order dated March 31, 2008, the Creditor Trusts motion to dismiss the appeal is granted to the extent that Johnson seeks to appeal the December 19, 2006 Disallowance Order and to the extent that Johnson seeks to appeal the April 4, 2007 Reconsideration/-Extension Order, the order of the bankruptcy court is affirmed; accordingly, the case is closed. (Signed by J. Michael McMahon, clerk on 3/31/08) (Attachments: # <u>1</u> notice of right to appeal)(ml) (Entered: 04/01/2008)
05/01/2008	<u>15</u>	NOTICE OF APPEAL from <u>14</u> Clerk's Judgment. Document filed by Jacqueline Johnson. (tp) (Entered: 05/12/2008)
05/01/2008		Appeal Remark as to <u>15</u> Notice of Appeal filed by Jacqueline Johnson. \$455.00 APPEAL FEE DUE. (tp) (Entered: 05/12/2008)
05/12/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>15</u> Notice of Appeal. (tp) (Entered: 05/12/2008)
05/12/2008		Transmission of Notice of Appeal to the District Judge re: <u>15</u> Notice of Appeal. (tp) (Entered: 05/12/2008)